

United States v. Nathaniel Sturdivant
5:23CR0500

AUSA: Joe Dangelo

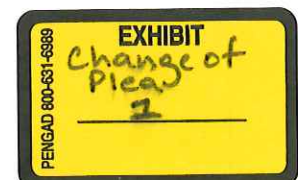
Defense counsel: Christian Grostic

STATUTORY PENALTIES

Count	Statute and Description of Offense	Statutory Sentence
1	Title 18 U.S.C. § 1349 and 1344- Conspiracy to Commit Bank Fraud	Maximum imprisonment: 30 years
		Maximum Statutory fine: \$1,000,000
		Maximum period of supervised release: 3 years
		Special assessment: \$100
2-6	Title 18 U.S.C. § 1343- Wire Fraud	Maximum imprisonment: 20 years
		Maximum Statutory fine: \$250,000
		Maximum period of supervised release: 3 years
		Special assessment: \$100
7-11	Title 18 U.S.C. § 1341- Mail Fraud	Maximum imprisonment: 20 years
		Maximum Statutory fine: \$250,000
		Maximum period of supervised release: 3 years
		Special assessment: \$100
12-16	Title 18 U.S.C. § 1028A- Aggravated Identity Theft	Mandatory imprisonment: 2 years consecutive
		Maximum Statutory fine: \$250,000
		Maximum period of supervised release: 3 years
		Special assessment: \$100

Minimum sentence must include imprisonment. The sentence for the offenses charged in counts 1, 12, 13, 14, 15, and 16 may not be satisfied by a term of probation and must include some period of imprisonment.

- a. The sentences imposed for Counts 12, 13, 14, 15, and 16 may be served concurrently or consecutively to one another.



- b. Any aggregate sentence imposed for Counts 12, 13, 14, 15, and 16 must be served consecutively to any other sentence imposed by the Court.

ELEMENTS OF THE OFFENSE

Count 1- Title 18 U.S.C. § 1349: Attempt and Conspiracy

- 1: That two or more persons conspired, or agreed, to commit the crime of Bank Fraud, 18 U.S.C. § 1349;
- 2: That the defendant knowingly and voluntarily joined the conspiracy.

Counts 2-6- Title 18 U.S.C. § 1343: Wire Fraud

- 1: The Defendant knowingly participated in or devised or intended to devise a scheme to defraud in order to obtain money or property as charged;
- 2: The scheme to defraud included a material misrepresentation or concealment of a material fact;
- 3: The Defendant had the intent to defraud; and
- 4: In advancing, or furthering, or carrying out this scheme to defraud in order to obtain money or property, the Defendant transmitted, or caused the transmission of, any writing, signal, or sound by means of a wire, radio, or television communication in interstate commerce.

Counts 7-11- Title 18 U.S.C. § 1341: Mail Fraud

- 1: The Defendant knowingly participated in or devised or intended to devise a scheme to defraud in order to obtain money or property as charged;
- 2: The scheme to defraud included a material misrepresentation or concealment of a material fact;
- 3: The Defendant had the intent to defraud; and
- 4: In advancing, or furthering, or carrying out this scheme to defraud in order to obtain money or property, the Defendant used the mails, that is, either the U.S. Postal Service or a private or commercial interstate carrier, or caused them to be used.

Counts 12-16- Title 18 U.S.C. § 1028A(a)(1): Aggravated Identity Theft

- 1: The defendant transferred, possessed, or used a means of identification of another person without lawful authority.
- 2: The defendant did so knowingly.
- 3: The defendant knew the means of identification belonged to another person.
- 4: That the transfer, possession, or use was during and in relation to a violation of Title 18, United States Code, section 1343, Wire Fraud.

FACTUAL BASIS FOR PLEA

From in or around February 2022 to in or around August 2023, in the Northern District of Ohio, Eastern Division, and elsewhere, Defendants NATHANIAL L. STURDIVANT, MOHAMED S. MOHAMED, LARRY D. REYNOLDS, JAYLAND C. WARE, LORENZO L.

NETTLES, DASHAWN E. DUMAS, MARCUS T. WINN, and others known and unknown, knowingly combined, conspired, confederated, and agreed with each other, and with others, to commit an offense against the United States; that is, to knowingly execute or attempt to execute, a scheme and artifice (i) to defraud financial institutions; and (ii) to obtain moneys, funds, credits, assets, and other property owned by, and under the custody and control of the financial institutions, by means of false and fraudulent pretenses, representation, and promises.

i. The objects of the conspiracy were to (1) obtain stolen checks that were in the custody of the United States Postal Service (“USPS”), (2) fraudulently alter, forge, duplicate, and cash said checks, and (3) enrich the conspirators.

b. It was part of the conspiracy that:

i. Individuals unknown stole mail from the custody of the USPS.

ii. STURDIVANT, MOHAMED, WARE, and others unlawfully altered, duplicated, and forged checks found within the stolen mail.

iii. STURDIVANT, MOHAMED, REYNOLDS, DUMAS, WINN, and others used Instagram accounts and telephone communications to recruit bank account holders to use their bank accounts to cash stolen, altered, and forged checks.

iv. STURDIVANT, MOHAMED, REYNOLDS, WARE, NETTLES, DUMAS, WINN, and others used Instagram accounts, text messages and other means to obtain banking information such as checking account numbers, online account log-in information, account history, account holder’s name and address, account limits, and to provide instructions on how to use mobile deposit services and ATMs to deposit and cash stolen, altered, and forged checks.

v. STURDIVANT, MOHAMED, REYNOLDS, WARE, NETTLES, DUMAS, and others deposited and caused to be deposited altered, stolen, and forged checks into bank accounts.

vi. STURDIVANT, and others used an internet connection from his apartment in Kent, Ohio to make mobile deposits of altered and stolen checks.

vii. STURDIVANT, MOHAMED, REYNOLDS, WARE, NETTLES, DUMAS, and others withdrew the money and thereby enriched themselves with the stolen funds.

c. On or about the dates listed below, in furtherance of the conspiracy, and to effect the objects and conceal the existence thereof, Defendants and others performed acts in the Northern District of Ohio and elsewhere, including, but not limited to, the following:

i. On February 18, 2022, at approximately 1:40 pm, STURDIVANT exchanged Instagram messages with an unknown person, discussing altered and stolen U.S. Bank check #1111.

ii. On February 18, 2022, at approximately 1:43 pm, STURDIVANT accessed the checking account for R.B.

iii. On February 18, 2022, at 7:59 pm, STURDIVANT deposited and caused to be deposited altered and stolen U.S. Bank check #1111 at a U.S. Bank ATM in Richmond Heights, Ohio.

iv. On March 22, 2022, STURDIVANT and MOHAMED exchanged Instagram direct messages concerning the check cashing scheme and the purchase of stolen checks.

v. On April 13, 2022, NETTLES exchanged Instagram direct messages with STURDIVANT concerning the check cashing scheme.

Department, and to obtain money and property by means of false or fraudulent pretenses, representations, or promises.

d. It was part of the scheme that:

i. STURDIVANT obtained California Employment Development Department applications for pandemic relief.

ii. STURDIVANT used the identities of D.P., I.T., A.C., M.J., and C.C to complete and submit the California Employment Development Department applications without the consent of D.P., I.T., A.C., M.J., and C.C. STURDIVANT knew that each identity belonged to an actual person.

iii. On or about each of the dates set forth below, in the Northern District of Ohio, Eastern Division or elsewhere, for the purpose of executing the scheme described above, knowingly transmitted and caused to be transmitted by means of wire communication in interstate commerce the signals and sounds described below for each count:

Count	Date	Description	Wire Origination	Wire Destination
2	On or about April 19, 2021	Fraudulent application for D.P. to California Employment Development Department	Euclid, Ohio	West Sacramento, California
3	On or about July 14, 2021	Fraudulent application for I.T. to California Employment Development Department	Euclid, Ohio	West Sacramento, California
4	On or about July 14, 2021	Fraudulent application for A.C. to California Employment Development Department	Euclid, Ohio	West Sacramento, California
5	On or about August 2, 2021	Fraudulent application for M.J. to California Employment Development Department	Euclid, Ohio	West Sacramento, California
6	On or about August 22, 2021	Fraudulent application for C.C. to California Employment Development Department	Euclid, Ohio	West Sacramento, California

iv. STURDIVANT caused to be delivered by mail Bank of America debit cards from the California Employment Development Department in the names of D.P., I.T., A.C., M.J., and C.C.

v. On or about each of the dates set forth below, in the Northern District of Ohio, Eastern Division or elsewhere, for the purpose of executing the scheme described above, knowingly caused to be delivered by mail, the following matters described below for each count:

Count	Date	Description	Mail Origin	Mail Destination
7	On or about June 28, 2021	Debit card for D.P.	West Sacramento, California	Cleveland, Ohio
8	On or about July 25, 2021	Debit card for I.T.	West Sacramento, California	Cleveland, Ohio
9	On or about July 25, 2021	Debit card for A.C.	West Sacramento, California	Cleveland, Ohio
10	On or about August 30, 2021	Debit card for M.J.	West Sacramento, California	Cleveland, Ohio
11	On or about September 5, 2021	Debit card for C.C.	West Sacramento, California	Cleveland, Ohio

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